

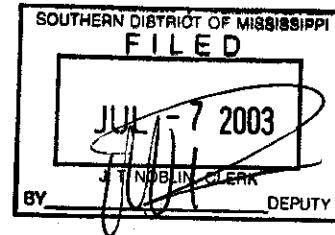
FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

Lori's McClelland
M.W.C.
503 South Main St
Columbia Ms 39429

(Enter above the full name of the plaintiff or plaintiffs and prisoner number of each plaintiff in this action)

COMPLAINT



v.

CIVIL ACTION NUMBER: 2:03cv370

(to be completed by the Court)

Bobby Patterson - Pearl River Basin narcotics Task Force
Forest Denton Municipal Court Judge
and Columbia Ms. Police Dep. etc, al

(Enter above the full name of the defendant or defendants in this action)

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

A. Have you ever filed any other lawsuits in a court of the United States? Yes () No ()

B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

- Parties to the action: NONE
- Court (if federal court, name the district; if state court, name the county): NONE
- Docket Number: NONE
- Name of judge to whom case was assigned: NONE
- Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): NONE

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: Louis McClelland Prisoner Number: None

Address: Marion Watchall Correctional Facility
503 South Main
Columbia, Ms. 39429

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: Bobby Patterson - Pearl River Basin Narcotics Task Force is employed as Pearl River Basin Narcotics at Marion Watchall Correctional Facility etc.

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF(S):

NAME: Bobby Patterson
Louis McClelland
ADDRESS: M.W.C.F.
503 South Main st
Columbia Ms. 39429

DEFENDANT(S):

NAME: Bobby Patterson
Pearl River Basin
Narcotics Task Force
Forest Santin Municipal
Court Judge and
Columbia, Ms. Police
Dep. etc. al
ADDRESS: M.W.C.F.
503 South Main st
Columbia Ms
39429

ADMINISTRATIVE REMEDIES PROGRAM

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes () No ()

B. Are you presently incarcerated for a parole or probation violation?

Yes () No ()

C. Did you present the facts relating to your complaint in the administrative or grievance procedure in your institution?

Yes () No ()

1. If you answer to C is yes,

a. State the date your claims were presented: On the Date I was Arrested

b. State how your claims were presented. (Written request, verbal request, request for forms)

c. State the result of that procedure. (You must attach a copy of the final result, such as a certificate from the administrator of the Administrative Remedies Program stating that you have exhausted your administrative remedies.)

See Exb "A" For the administrative Remedies that I the above have exhausted

2. If you have not filed a grievance, state the reasons: I filed a grievance as a pre-Trial Inmate an know response because "See Exb "A"

STATEMENT OF CLAIM

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

See Exb B

RELIEF

IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

Punitive Damages "10" Million

Compensatory Damages "10" Million

Signed this 24 day of June

2003
Sue McCleod
M.W.C.F.

Louis McCleod
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

6-24-2003
(Date)

Sue McCleod

Louis McCleod
Signature of plaintiff(s)

Exhibit A

Marion/Malhall Correctional Facility
 503 SOUTH MAIN STREET
 COLUMBIA, MS 39424

RICHARD "RIP" STRINGER
 SHERIFF

ROBERT J. MINGO
 WARDEN

INMATE GRIEVANCE FORM

INMATE'S NAME: Louis McVendon MDOC#: _____ DORM: PT

STATE THE NATURE OF YOUR GRIEVANCE. EXPLAIN FULLY. GIVE DETAILS INCLUDING DATES, TIMES, AND PERSONS INVOLVED. USE AN ADDITIONAL SHEET OF PAPER IF NECESSARY.

If Name is the above and the Warden & Sheriff said that these forms is NOT for Pre-Trial Inmates. I wrote in about (3) three an never a response. They said I have to be MDOC

FIRST STEP

SHIFT SUPERVISOR'S RESPONSE: _____

NOVA

INMATE IS SATISFIED WITH RESPONSE
 NOT SATISFIED, PROCEED TO STEP 2

YES

YES

NO

NO

SECOND STEP

WARDEN'S RESPONSE: _____

NOVA

I AM SATISFIED WITH THE RESPONSE TO MY GRIEVANCE.

SIGNATURE: Louis McVendon DATE: _____

Louis McVendon

2. If your answer is yes, what was the result? Plaintiff filed the State prison
 Grievance Procedure two (2) times for administrative
 Remedies. No response.

3. If your answer is no, explain: _____

PARTIES

(In item I below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

I. Name of plaintiff: Louis McCleodson
 Address: M.W.C.J.
503 South Main St.
PO Box 528
Columbia Ms. 394129

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant Bobby Patterson is employed as
Pearl River Basin Narcotics Task Force at _____

STATEMENT OF CLAIM

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheet if necessary.)

The Plaintiff was arrested on July 12, 2002 the
Possession of a Firearm by a Convicted Felon (Charge
The May 2001 Marion County Grand Jury handed down
a True Bill) against Plaintiff on the Poss. of a Firearm
by a Convicted Felon Charge, Cause Number Kel-302P
See Exhibit "A".

In March 2002 the Poss. of a Firearm Charge was
Quashed Due To a Defective Indictment With
PREGJUDICE, Cause Number Kel-302P

The Plaintiff was RECHARGED for Poss. of a Firearm by
 a Convicted Felon Charge on July 18, 2002, charged by
 a Violation of the protection against DOUBLE jeopardy
 On the same charge Circumstances and same alleged
 evidence. The Plaintiff have the RIGHT to talk to His Lawyer
 and having him Present with him while he was being RECHARGED for
 Poss. of a Firearm by a Convicted felon Charge and being questioned.
 See Exhibit "B-C" Plaintiff was in Denial of RIGHT of assistance of counsel.
 Therefore the ISSUES, RAISED "HARASSMENT" Wrongly jail and KIDNAPED.
 RELIEF

IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

Punitive Damages

"10" Million

Compensatory Damages "10" Million

Signed this 19 day of February, 19

Louis McCleod

Signature of Plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

R-19-03

(Date)

Louis McCleod
Louis McCleod
Louis McCleod

Signature of Plaintiff(s)

INDICTMENT

STATE OF MISSISSIPPI

CAUSE NUMBER K01-302P

CHARGE: POSSESSION OF A FIREARM BY A CONVICTED FELON, HABITUAL OFFENDER

COUNTY OF MARION:

THE GRAND JURORS for the State of Mississippi, elected, impaneled, sworn and charged, in and for said County and State aforesaid, in the name and by the authority of the State of Mississippi, upon their oath, present: on or about the [REDACTED]

LOUIS McCLENDON A/K/A "MEATBALL"

after having been charged by a bill of information in the Orleans Parish of Criminal District Court, New Orleans, Louisiana, Section D with the crime of Possession of Marijuana, in case number 300-876 and thereafter the said Louis McClendon was convicted of the said crime in case number 300-876 in the Orleans Parish Criminal Court, New Orleans, Louisiana upon entering a plea of guilty to the said charge and was thereafter on the 16th day of April, 1984 sentenced to serve a term of eight (8) years in the custody of the Parish Prison and thereafter for a second and subsequent offense, the said Louis McClendon was charged by a bill of information in the Orleans Parish of Criminal District Court, New Orleans, Louisiana, Section J with the crime of Possession of Marijuana with Intent to Distribute in case number 84-2103-19 and was found guilty by a jury trial in the Orleans Parish of Criminal District Court, the defendant was thereafter on the 31st day of July, 1986 sentenced to serve a term of eight (8) years in the custody of the Louisiana Department of Corrections and thereafter the said Louis McClendon was charged by an indictment in the Circuit Court of Marion County Justice Court in cause number 5663-2 with the crime of Possession of a Controlled A Substance with Intent to Transfer or Sell, Second and Subsequent Offender, Habitual Offender and thereafter the said defendant was convicted of a charge of Possession of a Controlled Substance in the Circuit Court of Marion County, Mississippi upon entering a plea of guilty to the said charge and was on the 30th day of August, 1994 sentenced to serve a term of six (6) years in the custody of the Mississippi Department of Corrections and thereafter the said defendant did on or about [REDACTED]

in his own hand a 410 gauge New England Arms shotgun, bearing serial number NC 6336991, contrary to and in violation of Section 97-37-5 and that the defendant is in violation as a Habitual Offender under section 99-19-81 of the Mississippi Code of 1972, as amended, against the peace and dignity of the State of Mississippi.

Exhibit - A

**CERTIFICATE OF
INITIAL APPEARANCE**

STATE OF MISSISSIPPI
COUNTY OF MARION

This is to certify that Louis A. McLendon charged with Felony Possession of a Firearm ^{Municipal Court Judge} was granted an initial appearance before Justice Court Judge Forest M. Dantin of District — on the 18th day of July A.D. 2002

At said initial appearance I, the undersigned Judge did ascertain the Defendant's true name and address, which is Louis A. McLendon, 472 Lafayette St., Columbus, Miss., 39429

The said Louis A. McLendon was informed of the charge against him and provided with a copy of the complaint.

I also advised him of the following:

- (1) That he is not required to speak and that any statement he makes may be used against him
- (2) That he has the right to assistance of counsel, and that if he is unable to afford counsel, an attorney will be appointed to represent him
- (3) That he has the right to communicate with counsel, family or friends, and that reasonable means will be provided to enable him to do so.

He was informed of his right to a Preliminary Hearing and said Preliminary Hearing was set for the 25th day of July A.D. 2002, at 9 O'clock A.M. Bail was set at \$ 100 Bond with Bond returnable

Given under my hand and seal of Office this 18th day of July A.D. 2002

Amount of Bond \$ 100 Bond

Forest M. Dantin
Municipal Judge for JUSTICE COURT JUDGE
DISTRICT NO. _____

I, Louis A. McLendon, hereby acknowledge that the above signed Justice Court Judge did advise me of the above and all of the above is true and correct.

This the 18th day of July A.D. 2002

FORM 4 RULE 104

Declined to sign. DEFENDANT

Exhibit "B"

Forest M. Dantin
Bobby Dantin

MIRANDA WARNING

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish one. Do you want one now?
5. The Defendant has the right to demand a Preliminary Hearing while he/she remains in custody.

Signed: JUDGE S. M. D. DEFENDANT _____

WAIVER

After the warning and in order to secure a waiver, the following questions should be asked and an affirmative reply secured to each question.

FAD

1. Do you understand each of these rights I have explained to you?
2. Having these rights in mind, do you wish to talk to us now?
3. If you agree to answer any questions, you may request that questioning cease at any time.

DISTRICT NO. _____

STATE OF MISSISSIPPI

VERSUS

Louis A. McLawhorn

**AFFIDAVIT OF DEFENDANT
FOR COURT APPOINTED ATTORNEY**

STATE OF MISSISSIPPI

COUNTY OF MARION

BEFORE ME, the undersigned authority in and for said County and State, this day personally came and appeared the _____

Louis A. McLawhorn, who, being by me first duly sworn as the law directs, says on oath that he is unable to employ counsel herein and has no means whatsoever to employ counsel herein: that he owns no property of any kind, character or description, except: now

AFFIANT further states on oath that he is (is not) employed and earns the sum of \$ -0- per _____

AFFIANT understands that any false statement made by him in this affidavit could subject him to prosecution for perjury.

7-2-91

AFFIANT

SUBSCRIBED and SWORN TO BEFORE ME, on this the 18th day of July, A.D. 2002

Exhibit "C"

S. M. D.
Municipal Court for JUSTICE COURT JUDGE

IN JUSTICE COURT OF

DISTRICT

, MARION COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS

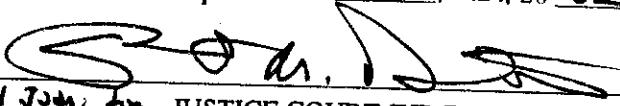
Louis A. Mc Lendon

ORDER OF APPOINTING ATTORNEY

It appearing to the Court that the above named defendant, charged with the Crime of Felony in Possession of a Firearm and has no lawyer to represent him, the court is of the opinion that

Honorable C. Barron Irvin, Attorney, should be and is hereby named and appointed to represent the defendant and be allowed a fee therefor when he shall have finished such duty.

SO ORDERED AND ADJUDGED on this the 18th day of July, A.D., 20 02.


Municipal Judge JUSTICE COURT JUDGE

DISTRICT No. _____

NOTICE OF ATTORNEY OF APPOINTMENT

TO: Honorable C. Barron Irvin
Attorney At Law

Columbus, Mississippi

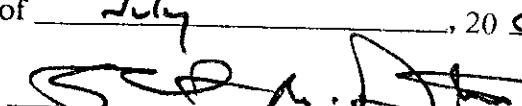
This is to notify you that I have this day appointed you to represent Louis A. Mc Lendon

charged with the crime of Felony in Possession

of a Firearm.

(X) Defendant is in Marion County Jail.
() Defendant is on Bond and my be contacted at As of Now" Still Jailed
Phone # _____

WITNESS my signature this 18th day of July, 20 02.


Municipal Judge JUSTICE COURT JUDGE
District _____
Marion County, Mississippi

(6.)

-----MUST BE COMPLETED BY PLAINTIFF-----

Exb. C

Authorization for Release of Institutional Account Information and
Payment of the Filing FeeI, Louis McClelland,
(Name of Plaintiff)

(MDOC Number)

authorize the Clerk of Court to obtain, from the agency having custody of my person, information about my institutional account, including balances, deposits and withdrawals. The Clerk of Court may obtain my account information from the past six months and in the future, until the filing fee is paid. I also authorize the agency having custody of my person to withdraw funds from my account and forward payments to the Clerk of Court, in accord with 28 U.S.C. Section 1915.

Louis McClelland

(Signature of Plaintiff)

June 24 - 2003
(Date)IT IS PLAINTIFF'S RESPONSIBILITY TO HAVE THE APPROPRIATE PRISON
OFFICIAL COMPLETE AND CERTIFY THE CERTIFICATE BELOWCERTIFICATE TO BE COMPLETED BY AUTHORIZED OFFICER
(*Prisoner Accounts Only*)I certify that the applicant named herein has the sum of \$ 6.56 on account to his credit at the M.W.C.F. institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution:I further certify that during the last six (6) months the plaintiff's average monthly **balance** was \$ 6.56I further certify that during the last six (6) months the plaintiff's average monthly **deposit** was \$ 5.00.601-736-3621
TELEPHONE NUMBER OF
OFFICER FOR VERIFICATIONLinda Robinson
AUTHORIZED OFFICER OF INSTITUTION
Linda Robinson
PRINT NAME OF AUTHORIZED OFFICERJune 24 - 2003
DATERETURN COMPLETED FORM TO:
U. S. DISTRICT COURT
245 E. CAPITOL ST., ROOM 316
JACKSON, MS 39201

COMMISSARY PULL SHEET
MARION/WALTHALL CORRECTIONAL FACILITY

BOOKING NO : 2002070026 CELL : GEN. POPUL 20

BEGINNING BALANCE : \$ 14.65

INMATE NAME : MCCLENDON, LOUIS

ENDING BALANCE : \$ 0.00

ITEM	DESCRIPTION	QTY ORD.	QTY RCVD	PRICE	EXTENDED
1069	MAYONNAISE	1	1	\$ 2.45	\$ 2.45
1085	BREAD	2	2	\$ 1.00	\$ 2.00
1089	FROSTED FLAKES	1	1	\$ 4.60	\$ 4.60
1102	TUNA	2	2	\$ 1.30	\$ 2.60
1145	ATOMIC FIREBALL IND.	19	19	\$ 0.10	\$ 1.90
1152	JOLLY RANCHER ASST. BAGS * OUT OF	2	0	\$ 0.50	\$ 0.00
2018	FULL REGULAR HONEY BUN	1	1	\$ 0.55	\$ 0.55
2047	SKITTLES CANDY	1	1	\$ 0.55	\$ 0.55
TOTALS			27		\$ 14.65

INMATE

OFFICER

NPR

CORRECTIONS RECEIVED - INMATE

OFFICER